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09/751,859	12/29/2000	Oumar Nabe	17207-00007	8540

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EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2171

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,859

Applicant(s)

Nabe et al.

Examiner

T. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 18, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. Claims 1 - 24 are presented for examination.

Specification

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicants' cooperation are requested in correcting any errors of which applicants may become aware in the specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-24 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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5. As to claims 1 and 13, Applicants fail to disclose when and how tools are integrated for modeling data within the relational database. What's the benefit to using these tools. Thus, the invention is not described in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.
6. As to claims 6 and 18, Applicants have not disclosed what type of algorithm may be used for the claimed invention.
7. As to claims 7-8 and 19-20, Applicants fail to disclose what type of individual accounts or accounts and the properties of these accounts will be used for the claimed invention.
8. As to claims 8 and 20, Applicants have not specify the classes, deciles, and clusters being used for the claimed invention.
9. As to claims 2-12 and 14-24, these claims also have the same defects as their base claims, hence they are rejected for the same reason.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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10. Claims 3-6, 15-17 and 19-20, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
11. As to claims 3-4 and 15-16, applicant fails to distinguish the benefits and timing of using either statistical or non-statistical tools to model the relational database.
12. As to claim 6, Applicant fails to disclose the links between "using tools to model the relational database" and "the step of generating an algorithm" for rating models.
13. As to claims 7-8 and 19-20, it is not understood what is it meant by "score individual accounts"? What is the purpose to assign the accounts at least one of a numerical value, a non-numerical value and an economic worth? Furthermore, claims 8 and 20 depend on claims 7 and 19 respectively, however, the cited "at least one" condition claimed in claims 7 and 19, does not always reads on the feature -- "a non numerical value" as claimed in claims 8 and 20 , thus these claims are indefinite with each other.
14. As to claims 5 and 17, these claims have the same defects as their base claims, hence are rejected for the same reason.

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Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

16. Claims 1-24 are rejected under 35 U.S.C. 102(e) as to the examiner's best understanding, being anticipated by Pasumansky et al. (U.S. Patent No. 6,477,536).

17. As to claims 1, 9-12, 13 and 21-24, Pasumansky et al. (hereinafter referred as Pasumansky) discloses a system which performs the following steps, comprising:

a) at least one computer [for example, see 20, 49, Fig. 1; col. 7, lines 30-38];

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b) a server [OLAP server, 260, Fig. 3; col. 1, lines 21-27] configure to compile data from multiple source [230, 240, Fig.3] to create a relational database, using tools to model data within the relational database, [e.g., SQL Server, Oracle, Sybase, Informax databases, col. 8, lines 23-32], Score the modeled data [e.g. using the ranking tool, col. 1, lines 30-32], integrate the scores into an multi-dimensional structure [e.g., using the aggregate tool to compile scores into a cube (230, Fig. 3); col. 1, lines 30-32]; and provide access to the multi-dimensional structure via an Administrative interface [e.g., using monitor (47, Fig. 1), video adapter (48, Fig. 1) a client application (250, Fig. 3) can manipulate the virtual cube; Abstract, line 7-8; col. 8, lines 12-14];

c) a network connecting the computer to the server [e.g. Local Area Network (51, Fig. 1); Wide Area Network (52, Fig. 1)].

18. As to claims 2, 5, 14 and 17, Pasumansky further disclosed the server configured to use or compile data from user input [col. 8, lines 41-48; 250, Fig. 3].

19. As to claims 3-4, 6-8, 15-16 and 18-20, the claimed features are embedded in the tools applied by Pasumansky's virtual cubes system. For example, a ranking tool is a statistic software which integrates an algorithm for grouping, scoring or assigning individual account a numerical value and an aggregate interface tool is a non-statistic software for collecting data [col. 1, lines 30-32; col. 5, lines 49-53; Fig(s) 3-5].

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Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Bakalash et al. (U.S. Patent No. 6,385,604) which disclosed a system using integrated non-relational multi-dimensional data store with aggregated data elements to manage a relation database.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group are: (703) 746-7238 (After Final Communication); (703) 746-7239 (Official Communications); and (703) 746-7240 (For Status Inquiries, Draft Communication).

23. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

Feb. 26, 2003

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